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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,913	03/08/2002	Wenhao Hsieh	HSIE3025/EM	1298

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EXAMINER

WANG, JIN CHENG

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/092,913	Applicant(s) HSIEH, WENHAO	
	Examiner Jin-Cheng Wang	Art Unit 2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4, 6, 9, 11, 13, 14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 6, 9, 11, 13-14, and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Response to Amendment***

The amendment filed on 06/18/2004 has been entered. Claims 1, 6, 11 and 13 have been amended. Claims 2-3, 5, 7-8, 10, 12, and 15 have been canceled. Claims 1, 4, 6, 9, 11, 13-14 and 16 are pending in the application.

Response to Arguments

Applicant's arguments filed June 18, 2004 have been fully considered but they are not persuasive. As addressed below, Kurakake teaches the claim limitation of the scrolling distance being a multiple lines including a half page by successively scrolling line by line or a plurality of lines (Kurakake column 11). Kurakake teaches the claim limitation of placing the cursor at a middle position of the window being scrolled along the movement of the cursor (Kurakake column 4, lines 30-45). The cursor is placed at the center of the window *after scrolling*. It would also have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Kurakake's cursor being placed at a middle position of the window being scrolled into the Barnes's method because Barnes suggests a determination of the scrolling indicator cursor's new location (Barnes column 7). *Barnes teaches in Fig. 4B placing the cursor at a middle position of the window because the cursor position shown in Fig. 4B lies in the vertical center line which occurs after scrolling. Accordingly, Barnes teaches placing the cursor at a middle position of the window.* Therefore Barnes's teaching suggests the cursor can be placed at the center of the active window (Barnes column 6). Such modification would have been required to provide a fixed cursor position when additional information being scrolled.

Applicant stated that the cursor is moved back to the center of the screen. The Examiner asserts that this argument cannot be found in the claims. Nevertheless, Kurakake teaches moving the cursor vertically and cursor position left unchanged after scrolling wherein the screen scrolling operation is performed while the cursor remains in the center of the screen. Moreover, even if the cursor reaches close to the upper or lower end of the screen, the cursor can still remain at a central position along the vertical central line of the screen (See Kurakake column 11). In column 12, Kurakake teaches that the display data can be scrolled while the cursor is located at a central position of screen and is easy to see. Therefore, Kurakake teaches that, after scrolling, the cursor is placed at a central position of the screen. In response to applicant's argument that Kurakake does not teach moving the cursor to the edge of the screen, Kurakake teaches moving the cursor to the upper and lower end of the screen. Barnes precisely teaches moving the cursor to the edge of the screen.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim limitation of "step C: moving the cursor" as set forth in the claim 1 is indefinite because multiple interpretations exist for the step C. Step C could mean moving the cursor to a position inside/within the active window or some other locations in the display screen. However in such situations, the step D of the method, which recites scrolling the

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active window along the moving direction of the cursor by a half page, should not be performed because applicant's specification only describes scrolling the active window along the moving direction of the cursor by a half page when the cursor is moved outside the active window. The specification however fails to describe scrolling the active window along the moving direction of the cursor by a half page when the cursor remains within the active window. Claim 4 is rejected due to its dependency on the claim 1.

Claims 6 and 9 are subject to the same rationale of rejection set forth in above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,952,995 (hereinafter Barnes) in view of Kurakake U.S. Patent No. 4,734,689 (hereinafter Kurakake).

1. Claim 1:

Barnes teaches a method of scrolling a display of an information apparatus, the scrolling corresponding to movement of a cursor, a user controlling movement of the cursor in an active window via an input device, the method comprising:

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Step A: receiving a cursor-moving signal (e.g., *detection of scrolling indicating cursor movement in step 602 of Figure 6; See also column 7, lines 32-67*);

Step B: determining if the position of the cursor will be out of the active window (*determining the scrolling indicating cursor's new location and determining if a portion of the scrolling indicating cursor extends beyond the display edge; column 7, lines 32-67*); if it is not, then proceeding to step C, and if it is, then proceeding to step D (e.g., column 7, lines 32-67);

Step C: moving the cursor (*See the scrolling indicating cursor's relative positions in the display of the active window in Figures 4A and Figure 4B*);

Step D: Scrolling the active window along the moving direction of the cursor (*Step 608 of Figure 6 which illustrates scrolling the display in the direction of the indicator and proportionately moving the scrolling indicating cursor away from the display edge; See also column 7, lines 32-67*);

Step E: after step D, placing the cursor at a middle position of the window being scrolled along the moving direction of the cursor (*Barnes teaches in Fig. 4B placing the cursor at a middle position of the window because the cursor position shown in Fig. 4B lies in the vertical line that is in the middle of the left and right sides of the window and this happens after scrolling. Therefore, Barnes teaches placing the cursor at a middle position of the window*).

However, Barnes does not specifically teach scrolling a half page. Also, Barnes does not implicitly teach placing the cursor at a middle position of the window being scrolled along the movement of the cursor.

Kurakake teaches the claim limitation of the scrolling distance being a multiple lines including a half page (Kurakake column 11). Kurakake teaches the claim limitation of placing

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the cursor at a middle position of the window being scrolled along the movement of the cursor (Kurakake column 4, lines 30-45 and column 11-12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Kurakake's scrolling distance being a half page and incorporated Kurakake's scrolling distance into the Barnes's method because Barnes teaches scrolling the remaining content and Kurakake teaches scrolling a line or more lines and therefore suggesting an obvious modification (Barnes column 6-7 and Kurakake column 11-12). Such modification would have been required to provide an alternative scrolling distance as what has been taught by Kurakake (scrolling distance being a multiple lines).

It would also have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Kurakake's cursor being placed at a middle position of the window being scrolled into the Barnes's method because Barnes suggests a determination of the scrolling indicator cursor's new location (Barnes column 7). *Barnes teaches in Fig. 4B placing the cursor at a middle position of the window because the cursor position shown in Fig. 4B lies in the vertical center line which occurs after scrolling. Accordingly, Barnes teaches placing the cursor at a middle position of the window.* Therefore Barnes's teaching suggests the cursor can be placed at the center of the active window (Barnes column 6). Such modification would have been required to provide a fixed cursor position when additional information being scrolled and cursor can be easily identified (Kurakake column 12).

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2. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes U.S. Patent No. 5,952,995 (hereinafter Barnes) and Kurakake U.S. Patent No. 4,734,689 (hereinafter Kurakake), in view of Gest et al. U.S. Patent No. 5,333,247 (hereinafter Gest).

Claim 4:

The claim 4 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the scrolling distance equal to the preset value when the remaining content exceeds the size of the display and the scrolling distance equal to the preset value when the remaining content being less than the size of the display screen.

Barnes and Kurakake meet the claim limitation set forth in the Claim 1. However, Barnes and Kurakake lack a full disclosure of the claim limitation of the scrolling distance equal to the preset value when the remaining content exceeds the size of the display and the scrolling distance being less than the preset value when the remaining content being less than the size of the display screen. Gest teaches the claim limitation of the scrolling distance equal to the preset value (scrolling distance equal to the full page) when the remaining content exceeds the size of the display and the scrolling distance being less than the preset value (no scrolling when there is no remaining content) when the remaining content being less than the size of the display screen (Gest column 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Gest's scrolling distance into the Barnes and Kurakake's method because Barnes teaches scrolling a line which is a predetermined value and no scrolling when the cursor's position is within the display window and naturally zero scrolling when there is no additional information to be displayed (Barnes column 7) and therefore

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suggesting the scrolling logic (Barnes column 6-7). Such modification would have been required to provide an alternative scrolling logic.

3. Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kurakake U.S. Patent No. 4,734,689 (hereinafter Kurakake).

Claim 6:

Kurakake teaches a method of scrolling a display of an information apparatus, the scrolling corresponding to movement of a cursor, a user controlling movement of the cursor in an active window via an input device, the method comprising:

Step A: receiving a cursor-moving signal (scrolling operation in response to the cursor up or down movement command signal; see column 11);

Step B: determining if the position of the cursor is within a predetermined region of the active window (*determining if the cursor position has not reached the range within 3 lines from the upper or lower ends of the screen, the cursor is successively moved each time the cursor movement key is operated, and reaches the boundary of the predetermined range; column 11*); if it is not, then proceeding to step C, and if it is, then proceeding to step D (e.g., column 11);

Step C: moving the cursor (*determining if the cursor position has not reached the range within 3 lines from the upper or lower ends of the screen, the cursor is successively moved each time the cursor movement key is operated, and reaches the boundary of the predetermined range; column 11*); and

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Step D: Scrolling the active window along the moving direction of the cursor (*When the cursor has reached the boundary of the 3-line range, display controller 2 checks if displayed data is present on the line in memory 3 corresponding to the content of register SLR+30. If so detected, the content of register SLR is incremented by one, and the detected data is displayed. Thus the displayed data is scrolled upward by one line while the cursor position is retained on the 28th line of the screen. See column 11).*

Step E: after step D, placing the cursor at a middle position of the window being scrolled along the moving direction of the cursor (*Kurakake teaches the claim limitation of placing the cursor at a middle position of the window being scrolled along the movement of the cursor; column 4, lines 30-45 and column 11-12).*

Kurakake teaches the claim limitation of the scrolling distance being a multiple lines including a half page (Kurakake column 11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Kurakake's scrolling distance because Kurakake teaches scrolling a line or more lines and therefore suggesting an obvious modification (Kurakake column 11). Such modification would have been required to provide an alternative scrolling distance as what has been taught by Kurakake (scrolling distance being a multiple lines).

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kurakake U.S. Patent No. 4,734,689 (hereinafter Kurakake), in view of Gest et al. U.S. Patent No. 5,333,247 (hereinafter Gest).

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Claim 9:

The Claim 9 encompasses the same scope of invention as that of the Claim 6 except additional claim limitation of the scrolling distance equal to the preset value when the remaining content exceeds the size of the display and the scrolling distance equal to the preset value when the remaining content being less than the size of the display screen.

Kurakake meets the claim limitation set forth in the Claim 6. However, Kurakake lacks a full disclosure of the claim limitation of the scrolling distance equal to the preset value when the remaining content exceeds the size of the display and the scrolling distance being less than the preset value when the remaining content being less than the size of the display screen.

Gest teaches the claim limitation of the scrolling distance equal to the preset value (scrolling distance equal to the full page) when the remaining content exceeds the size of the display and the scrolling distance being less than the preset value (no scrolling when there is no remaining content) when the remaining content being less than the size of the display screen (Gest column 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Gest's scrolling distance into the Kurakake's method because Kurakake teaches scrolling a line which is a predetermined value and no scrolling when the cursor's position is within the display window and naturally zero scrolling when there is no additional information to be displayed (Kurakake column 11-12) and therefore suggesting the scrolling logic (Kurakake column 11-12). Such modification would have been required to provide an alternative scrolling logic.

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Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,952,995 (hereinafter Barnes) in view of Kurakake U.S. Patent No. 4,734,689 (hereinafter Kurakake).

5. Claim 11:

Barnes teaches a set top box for receiving network signals to link to a website and outputting an image signal to a television, a user capable of viewing content of the website via the television, the set top box providing an input device for the user to control movement of the a cursor in an active window display, the set top box comprising the following conditions:

Condition 1: moving the cursor if the sequential movement of the cursor will not cause the cursor to move out of the active window (See the scrolling indicating cursor's relative positions in the display of the active window in Figures 4A and Figure 4B); and

Condition 2: scrolling the window display along the direction of movement of the cursor if the sequential movement of the cursor will cause the cursor to move out of the active window (Step 608 of Figure 6 which illustrates scrolling the display in the direction of the indicator and proportionately moving the scrolling indicating cursor away from the display edge; See also column 7, lines 32-67).

However, Barnes does not specifically teach scrolling a half page. Kurakake teaches the claim limitation of the scrolling distance being a multiple lines including a half page (Kurakake column 11-12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Kurakake's scrolling distance being a half page and incorporated Kurakake's scrolling distance into the Barnes's method because Barnes teaches

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scrolling the remaining content and Kurakake teaches scrolling a line or more lines and therefore suggesting an obvious modification (Barnes column 6-7 and Kurakake column 11-12). Such modification would have been required to provide an alternative scrolling distance as what has been taught by Kurakake (scrolling distance being a multiple lines).

6. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes U.S. Patent No. 5,952,995 (hereinafter Barnes), in view of Kurakake U.S. Patent No. 4,734,689 (hereinafter Kurakake).

Claim 13:

The claim 13 encompasses the same scope of invention as the Claim 11 except additional claim limitation of placing the cursor at a middle position of the window being scrolled along the movement of the cursor. Kurakake teaches the claim limitation of placing the cursor at a middle position of the window being scrolled along the movement of the cursor (Kurakake column 4, lines 30-45; column 11-12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Kurakake's cursor being placed at a middle position of the window being scrolled into the Barnes's method because Barnes suggests a determination of the scrolling indicator cursor's new location (Barnes column 7) and therefore suggesting the cursor can be placed at the center of the active window (Barnes column 6). Such modification would have been required to provide a fixed cursor position when additional information being scrolled.

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7. Claims 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes U.S. Patent No. 5,952,995 (hereinafter Barnes) and Kurakake U.S. Patent No. 4,734,689 (hereinafter Kurakake), in view of Gest et al. U.S. Patent No. 5,333,247 (hereinafter Gest).

Claim 14:

The claim 14 encompasses the same scope of invention as that of claim 11 except additional claimed limitation of the scrolling distance equal to the preset value when the remaining content exceeds the size of the display and the scrolling distance equal to the preset value when the remaining content being less than the size of the display screen.

Barnes and Kurakake meet the claim limitation set forth in the Claim 11. However, Barnes and Kurakake is silent to the claim limitation of the scrolling distance equal to the preset value when the remaining content exceeds the size of the display and the scrolling distance being less than the preset value when the remaining content being less than the size of the display screen.

Gest teaches the claim limitation of the scrolling distance equal to the preset value (scrolling distance equal to the full page) when the remaining content exceeds the size of the display and the scrolling distance being less than the preset value (no scrolling when there is no remaining content) when the remaining content being less than the size of the display screen (Gest column 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Gest's scrolling distance into the Barnes and Kurakake's method because Barnes teaches scrolling a line which is a predetermined value and no scrolling when the cursor's position is within the display window and naturally zero scrolling

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when there is no additional information to be displayed (Barnes column 7) and therefore suggesting the scrolling logic (Barnes column 6-7).

Such modification would have been required to provide an alternative scrolling logic.

Claim 16:

The Claim 16 encompasses the same scope of invention as that of the Claim 11 except additional claim limitation of the input device being a remote control and the remote control having a cursor direction button for the user to control the cursor. However, Barnes further discloses the claim limitation of the input device being a remote control and the remote control having a cursor direction button for the user to control the cursor (Barnes Figure 1D).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

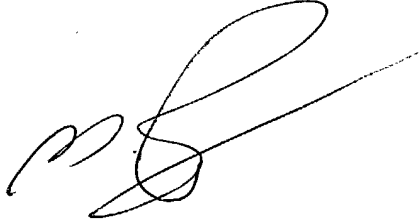
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (703) 605-1213.

The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6606 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 395-3900.

jcw
October 8, 2004



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
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